

# MICHIGAN HOUSE OF REPRESENTATIVES

## DAILY CALENDAR

TUESDAY, JUNE 12, 2007

1:30 p.m.

### MOTIONS AND RESOLUTIONS

1

**HB 4368** Rep. Cushingberry  
Sales tax; collections; tax on services and admission transmission transactions; provide for.  
Creates new act.  
(Notice of intent to discharge from the Committee on Tax Policy given by Rep. DeRoche March 8, 2007.)  
(Motion to discharge; record roll call ordered; passed for day March 13, 2007.)

2

**HCR 7** Rep. Hoogendyk  
A concurrent resolution to reject the proposed increase in rates of compensation recommended by the Civil Service Commission and contained in the Executive Budget for Fiscal Year 2007-2008.  
(Notice of intent to discharge from the Committee on Government Operations given by Rep. Hoogendyk March 28, 2007.)  
(Motion to discharge; record roll call ordered; passed for day March 29, 2007.)

3

**HB 4500** Rep. Cushingberry  
Income tax; income; state income tax rate and personal exemption; increase.  
Amends secs. 30 & 51e of 1967 PA 281 (MCL 206.30 & 206.51e).  
(Notice of intent to discharge from the Committee on Tax Policy given by Rep. Cushingberry May 2, 2007.)  
(Motion to discharge; passed for day May 3, 2007.)

### REPORTS OF STANDING COMMITTEES

4

**HR 92** Rep. Miller  
A resolution to urge any state department or agency seeking to privatize any state services to conduct a pre-privatization cost-benefit analysis and submit it to the House and Senate Appropriations Committees beforehand.  
(Reported by the Committee on Labor.)  
(For text of resolution, see House Journal No. 42, page 604 or Session Website; laid over 1 day May 15, 2007.)

### REPORTS OF STANDING COMMITTEES

5

**HCR 22** Rep. Vagnozzi  
A concurrent resolution to express the commitment of the Michigan Legislature to the development of a health care system that provides comprehensive coverage to all residents.  
(Reported by the Committee on Insurance.)  
(For text of concurrent resolution, see House Journal No. 48, page 716 or Session Website; laid over 1 day May 24, 2007.)

6

**HR 121** Rep. Accavitti  
A resolution to memorialize the Congress of the United States to encourage expansion of existing or the construction of new petroleum refineries in the United States to meet our increasing energy needs.  
(Reported by the Committee on Energy and Technology.)  
(For text of resolution, see House Journal No. 52, page 781 or Session Website; laid over 1 day June 6, 2007.)

7

**HR 53** Rep. Jackson  
A resolution to memorialize the Congress of the United States to enact legislation to increase funding for veterans health programs and to reform budget practices to assure that veterans health care needs are addressed by direct rather than discretionary funding.  
(Reported by the Committee on Military and Veterans Affairs and Homeland Security.)  
(For text of resolution, see House Journal No. 29, page 369 or Session Website; laid over 1 day June 6, 2007.)

8

**HR 111** Rep. Lemmons  
A resolution applauding the Tuskegee Airmen for the receipt of the Congressional Gold Medal and for their exemplary service to our state and the nation.  
(Reported by the Committee on Military and Veterans Affairs and Homeland Security.)  
(For text of resolution, see House Journal No. 48, page 716 or Session Website; laid over 1 day June 6, 2007.)

## MESSAGES FROM THE SENATE

9

**HB 4120** Rep. Bauer

Income tax; city; contributions to a city for specified purposes; provide for check-off option.

Amends 1964 PA 284 (MCL 141.501 - 141.787) by adding sec. 10 to ch. 1 & sec. 36 to ch. 2.

**(Returned from Senate with Senate substitute (S-2) and immediate effect; laid over 1 day March 28, 2007.)**

**(I.E. House February 27, 2007.)**

**(For House amendment, see House Journal No. 13, page 140 or Session Website.)**

**(For Senate substitute (S-2), see Session Website.)**

## THIRD READING

10

**HB 4442** Rep. Condino

Property tax; Headlee; Headlee rollback; modify.

Amends sec. 34d of 1893 PA 206 (MCL 211.34d).

**(Reported by the Committee on Tax Policy.)**

**(Read a third time; passed for day March 14, 2007.)**

**(For House amendments, see House Journal No. 25, page 304 or Session Website.)**

11

**HB 4234** Rep. Wenke

Corrections; jails; adoption of a jail population management plan; provide for.

Amends 1982 PA 325 (MCL 801.51 - 801.64) by adding sec. 9a.

**(Reported by the Committee on Judiciary.)**

**(For House substitute (H-1), see Session Website.)**

12

**HB 4725** Rep. Condino

Corrections; jails; county jail population management plan; implement, and revise jail overcrowding procedures.

Amends secs. 1, 2, 3, 4, 5, 9 & 10 of 1982 PA 325 (MCL 801.51 et seq.) & adds secs. 1a, 9a & 9b.

**(Reported by the Committee on Judiciary.)**

**(For House substitute (H-2), see Session Website.)**

**(For House amendments, see House Journal No. 54, page 821 or Session Website.)**

13

**SB 210** Sen. Switalski

Vehicles; title; distribution of fee collected to expedite application process; revise.

Amends sec. 806 of 1949 PA 300 (MCL 257.806).

**(Reported by the Committee on Appropriations.)**

**(For House substitute (H-1), see Session Website.)**

**(For Senate substitute (S-1), see Session Website.)**

14

**HB 4275** Rep. Hopgood

Vehicles; registration; distribution of revenue from collection of certain title and registration fee; earmark into the transportation administration collection fund.

Amends sec. 809 of 1949 PA 300 (MCL 257.809).

**(Reported by the Committee on Transportation.)**

**(For House substitute (H-1), see Session Website.)**

**(Read a third time; passed for day June 6, 2007.)**

## THIRD READING

15

**SB 266** Sen. Garcia

Occupations; business licensing and regulation; household goods; provide exemption from certification by public service commission of certain carriers.

Amends sec. 1, art. I, secs. 5, 6, 7 & 10, art. II, sec. 6, art. III & sec. 2, art. V of 1933 PA 254 (MCL 475.1 et seq.) & adds sec. 7 to art. V.

**(Reported by the Committee on Commerce.)**

16

**HB 4383** Rep. Melton

Use tax; exemptions; certain exemptions; eliminate.

Amends secs. 3a & 4 of 1937 PA 94 (MCL 205.93a & 205.94).

**(Reported by the Committee on Tax Policy.)**

**(For House substitute (H-1), see Session Website.)**

**(Passed April 17, 2007.)**

**(Returned as requested; vote reconsidered; passed for day June 7, 2007.)**

## SECOND READING

17

**HB 4492** Rep. Cushingberry

Appropriations; supplemental; multidepartment supplemental for fiscal year 2006-2007; provide for.

Creates appropriation act.

**(Reported by the Committee on Appropriations.)**

**(For proposed House substitute (H-2), see Session Website.)**

18

**HB 4064** Rep. Nofs

Income tax; other; home heating credit fund; establish.

Creates new act.

**(Reported by the Committee on Energy and Technology.)**

**(For proposed House substitute (H-2), see Session Website.)**

19

**HB 4280** Rep. Accavitti

Income tax; checkoff; home heating credit fund; provide for check-off option.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 436.

**(Reported by the Committee on Energy and Technology.)**

**(For proposed House substitute (H-2), see Session Website.)**

20

**HB 4373** Rep. Corriveau

Sales tax; collections; sales tax on difference between trade-in and purchase price for privately sold vehicles; provide for.

Amends sec. 1 of 1933 PA 167 (MCL 205.51).

**(Reported by the Committee on Tax Policy.)**

**(For proposed House substitute (H-1), see Session Website.)**

## SECOND READING

21

**HB 4514** Rep. Brown

Use tax; credits and deductions; deduction for the value of a trade-in exchanged in the purchase of a new vehicle; provide for.

Amends sec. 2 of 1937 PA 94 (MCL 205.92).

**(Reported by the Committee on Tax Policy.)**

**(For proposed House substitute (H-1), see Session Website.)**

22

**HB 4573** Rep. Tobocman

Liquor; licenses; allowable hours to serve alcohol; revise, extend, and provide new permit under certain circumstances.

Amends secs. 525 & 1114 of 1998 PA 58 (MCL 436.1525 & 436.2114) & adds sec. 1116.

**(Reported by the Committee on Regulatory Reform.)**

**(For proposed House substitute (H-2), see Session Website.)**

23

**SB 290** Sen. Richardville

Financial institutions; mortgage brokers and lenders; licensing requirements for secondary mortgage companies; exempt certain employees and leased employees.

Amends sec. 2 of 1981 PA 125 (MCL 493.52).

**(Reported by the Committee on Banking and Financial Services.)**

**(For Senate amendment, see Senate Journal No. 22, page 275.)**

24

**SB 347** Sen. Birkholz

Income tax; checkoff; separate contributions designation schedule and checkoff for breast cancer research; provide for.

Amends secs. 437 & 440 of 1967 PA 281 (MCL 206.437 & 206.440) & adds secs. 430 & 431.

**(Reported by the Committee on Tax Policy.)**

**(For proposed House substitute (H-1), see Session Website.)**

**(For Senate substitute (S-2), see Session Website.)**

25

**HB 4463** Rep. Gillard

Watercraft; marinas; issuance of a permit to operate a marina at a public road; require under certain circumstances.

Amends sec. 30106 of 1994 PA 451 (MCL 324.30106) & adds sec. 30106a.

**(Reported by the Committee on Tourism, Outdoor Recreation and Natural Resources.)**

**(For proposed House substitute (H-2), see Session Website.)**

## SECOND READING

26

**HB 4464** Rep. Gillard

Land use; land division; intention of a plat donation of a road, street, or alley terminating at a lake or stream contiguous to a shoreline; clarify.

Amends sec. 253 of 1967 PA 288 (MCL 560.253).

**(Reported by the Committee on Tourism, Outdoor Recreation and Natural Resources.)**

**(For proposed House substitute (H-3), see Session Website.)**

27

**HB 4372** Rep. Ebli

Property tax; exemptions; commercial and industrial personal property; exempt from certain taxes.

Amends 1893 PA 206 (MCL 211.1 - 211.157) by adding sec. 9k.

**(Reported by the Committee on Tax Policy.)**

**(For proposed House substitute (H-1), see Session Website.)**

28

**SB 16** Sen. Thomas

Income tax; other; prostate cancer research fund; create. Creates new act.

**(Reported by the Committee on Health Policy.)**

**(For Senate substitute (S-1), see Session Website.)**

29

**SB 348** Sen. Birkholz

Income tax; other; breast cancer research fund act; create.

Creates new act.

**(Reported by the Committee on Health Policy.)**

**(For proposed House substitute (H-1), see Session Website.)**

**(For Senate substitute (S-1), see Session Website.)**

30

**HB 4316** Rep. Meadows

Labor; fair employment practices; worker freedom act; create.

Creates new act.

**(Reported by the Committee on Labor.)**

31

**HB 4625** Rep. Bauer

Civil rights; employment discrimination; equal compensation for comparable work; require.

Amends secs. 102, 103 & 202 of 1976 PA 453 (MCL 37.2102 et seq.).

**(Reported by the Committee on Labor.)**

32

**HB 4626** Rep. Byrnes

Crimes; other; provision regarding wage discrimination based on sex; modify.

Amends sec. 556 of 1931 PA 328 (MCL 750.556).

**(Reported by the Committee on Labor.)**

**(For proposed House substitute (H-1), see Session Website.)**

## SECOND READING

33

**HB 4627** Rep. Kathleen Law  
Labor; fair employment practices; commission on pay equity; establish.  
Amends sec. 202 of 1976 PA 453 (MCL 37.2202).  
**(Reported by the Committee on Labor.)**  
**(For proposed House substitute (H-2), see Session Website.)**

34

**SB 350** Sen. Garcia  
Income tax; other; animal welfare fund; create.  
Creates new act.  
**(Reported by the Committee on Agriculture.)**  
**(For Senate substitute (S-1), see Session Website.)**

35

**HB 4259** Rep. Condino  
Children; adoption; second parent adoption; provide for.  
Amends secs. 24 & 51 of 1939 PA 288 (MCL 710.24 & 710.51).  
**(Reported by the Committee on Judiciary.)**  
**(For proposed House substitute (H-2), see Session Website.)**

36

**SB 69** Sen. Hunter  
Economic development; tax increment financing; neighborhood improvement authority; provide for.  
Creates new act.  
**(Reported by the Committee on Intergovernmental, Urban and Regional Affairs.)**  
**(For proposed House substitute (H-1), see Session Website.)**  
**(For Senate substitute (S-2), see Session Website.)**

37

**HB 4557** Rep. LeBlanc  
Income tax; checkoff; military family relief fund; extend sunset.  
Amends sec. 438 of 1967 PA 281 (MCL 206.438).  
**(Reported by the Committee on Military and Veterans Affairs and Homeland Security.)**  
**(For proposed House substitute (H-1), see Session Website.)**

38

**HB 4641** Rep. Accavitti  
Drains; drain commissioners; county board of commissioners to change name of office of county drain commissioner to office of the water resources commissioner; authorize and increase amount of bond.  
Amends sec. 21 of 1956 PA 40 (MCL 280.21).  
**(Reported by the Committee on Agriculture.)**  
**(For proposed House substitute (H-1), see Session Website.)**

39

**HB 4642** Rep. Mayes  
Drains; other; definition of the term "visibly in existence"; provide for.  
Amends sec. 6 of 1956 PA 40 (MCL 280.6).  
**(Reported by the Committee on Agriculture.)**  
**(For proposed House substitute (H-1), see Session Website.)**

## SECOND READING

40

**HB 4643** Rep. Donigan  
Drains; districts; liability for certain legal expenses of a drainage district; clarify.  
Amends sec. 247 of 1956 PA 40 (MCL 280.247).  
**(Reported by the Committee on Agriculture.)**

41

**HB 4644** Rep. Accavitti  
Drains; other; enforcement power for removing obstructions or interferences with drains; increase.  
Amends sec. 421 of 1956 PA 40 (MCL 280.421).  
**(Reported by the Committee on Agriculture.)**  
**(For proposed House substitute (H-1), see Session Website.)**

42

**HB 4688** Rep. Nitz  
Drains; maintenance and improvement; amount that drain commissioner can spend on maintenance of a drain; increase.  
Amends sec. 196 of 1956 PA 40 (MCL 280.196).  
**(Reported by the Committee on Agriculture.)**  
**(For proposed House substitute (H-1), see Session Website.)**

43

**HB 4674** Rep. Rocca  
Insurance; essential; increasing premium during term of policy; prohibit except in certain situations.  
Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111b.  
**(Reported by the Committee on Insurance.)**  
**(For proposed House amendments, see House Journal No. 46, page 688 or Session Website.)**

44

**HB 4533** Rep. Meisner  
Labor; collective bargaining; contracts with third parties for noninstructional support services; remove from prohibited subjects of public school bargaining.  
Amends sec. 15 of 1947 PA 336 (MCL 423.215).  
**(Reported by the Committee on Labor.)**

45

**HB 4684** Rep. Accavitti  
Liquor; other; serving alcohol to an individual who is visibly intoxicated; clarify.  
Amends secs. 707, 801, 901, 906, 1015 & 1025 of 1998 PA 58 (MCL 436.1707 et seq.).  
**(Reported by the Committee on Regulatory Reform.)**

46

**HB 4265** Rep. Farrah  
Gaming; bingo; local progressive game; allow to be conducted at same time as statewide progressive game.  
Amends sec. 5c of 1972 PA 382 (MCL 432.105c).  
**(Reported by the Committee on Regulatory Reform.)**

## SECOND READING

47

**SB 487** Sen. Garcia

Liens; construction; requirement that owner provide notice of receipt and a copy of sworn statement to subcontractors, laborers, and suppliers; limit to residential projects.

Amends secs. 110 & 115 of 1980 PA 497 (MCL 570.1110 & 570.1115).

**(Reported by the Committee on Regulatory Reform.)**

48

**HB 4801** Rep. Ward

Taxation; other; income tax on certain pension benefits; modify.

**(Reported by the Committee on Oversight and Investigations.)**

49

**HB 4802** Rep. Ward

Taxation; other; exemption of pensions from certain taxes; disallow.

**(Reported by the Committee on Oversight and Investigations.)**

50

**SB 105** Sen. Garcia

Courts; state court administration; authority for magistrates to oversee arraignments; allow.

Amends secs. 8511 & 8513 of 1961 PA 236 (MCL 600.8511 & 600.8513).

**(Reported by the Committee on Judiciary.)**

**(For Senate substitute (S-3), see Session Website.)**

51

**HB 4797** Rep. Melton

Retirement; public school employees; provision regarding health care benefits of teachers; revise.

Amends sec. 91 of 1980 PA 300 (MCL 38.1391).

**(Rule suspended; discharged from the Committee on Education.)**

52

**HB 4798** Rep. Johnson

Retirement; public school employees; conforming language to amend section; provide for.

Amends sec. 91 of 1980 PA 300 (MCL 38.1391).

**(Rule suspended; discharged from the Committee on Education.)**

53

**SB 188** Sen. Van Woerkom

Education; vocational; definition of vocational education and use of vocational education funds; revise, and allow certain acquisition of equipment.

Amends secs. 3, 7, 623a, 684 & 686 of 1976 PA 451 (MCL 380.3 et seq.).

**(Rule suspended; discharged from the Committee on Education.)**

**(For Senate substitute (S-4), see Session Website.)**

## SECOND READING

54

**HB 4809** Rep. Wenke

Public employees and officers; other; health care benefits for certain public employees; limit.

Creates new act.

**(Rule suspended; discharged from the Committee on Oversight and Investigations.)**

55

**HB 4284** Rep. Ball

Human services; medical services; coverage for adult foster care facilities; provide.

Amends sec. 109 of 1939 PA 280 (MCL 400.109).

**(Rule suspended; discharged from the Committee on Families and Children's Services.)**

56

**HB 4804** Rep. Wenke

Public employees and officers; other; public employee access to health plan that is available to state employees; provide for.

Creates new act.

**(Discharged from the Committee on Oversight and Investigations.)**

**(Read a second time; House substitute (H-3) adopted; amendment offered; postponed temporarily May 25, 2007.)**

**(For House substitute (H-3), see Session Website.)**

**(For proposed House amendment, see House Journal No. 53, page 811 or Session Website.)**

57

**HB 4732** Rep. Virgil Smith

Liquor; licenses; prohibition against law enforcement officer or spouse holding license; revise exception.

Amends sec. 523 of 1998 PA 58 (MCL 436.1523).

**(Reported by the Committee on Regulatory Reform.)**

**(For proposed House substitute (H-2), see Session Website.)**

58

**HB 4749** Rep. Farrah

Vehicles; motorcycles; requirement of wearing crash helmets; increase penalty, create exception, and provide for a no-helmet permit and sticker under certain circumstances.

Amends secs. 312a & 658 of 1949 PA 300 (MCL 257.312a & 257.658); adds sec. 658c & repeals sec. 658c of 1949 PA 300 (MCL 257.658c).

**(Reported by the Committee on Regulatory Reform.)**

**(For proposed House substitute (H-2), see Session Website.)**

59

**HB 4711** Rep. Huizenga

Economic development; brownfield redevelopment authority; certain revisions; provide for.

Amends secs. 15 & 16 of 1996 PA 381 (MCL 125.2665 & 125.2666).

**(Reported by the Committee on New Economy and Quality of Life.)**

**(For proposed House substitute (H-1), see Session Website.)**

## SECOND READING

60

**HB 4712** Rep. Clemente

Economic development; brownfield redevelopment authority; certain revisions to brownfield tax increment finance act; provide for.

Amends sec. 13 of 1996 PA 381 (MCL 125.2663).

**(Reported by the Committee on New Economy and Quality of Life.)**

**(For proposed House substitute (H-1), see Session Website.)**

61

**HB 4713** Rep. Espinoza

Economic development; brownfield redevelopment authority; certain revisions to brownfield tax increment finance act; provide for.

Amends sec. 2 of 1996 PA 381 (MCL 125.2652).

**(Reported by the Committee on New Economy and Quality of Life.)**

**(For proposed House substitute (H-1), see Session Website.)**

62

**HB 4739** Rep. Dean

Elections; school; residency for education-related board members; require.

Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding sec. 11a.

**(Reported by the Committee on Ethics and Elections.)**

63

**HB 4740** Rep. Tobocman

Elections; school; residency as condition for office as community college board of trustees member; require.

Amends sec. 105 of 1966 PA 331 (MCL 389.105).

**(Reported by the Committee on Ethics and Elections.)**

64

**HB 4735** Rep. Polidori

Human services; children's services; procedure for placement of children in a foster home; expand to give special consideration to relatives.

Amends sec. 4a of 1994 PA 203 (MCL 722.954a).

**(Reported by the Committee on Families and Children's Services.)**

65

**HB 4869** Rep. Farrah

Occupations; athletics; boxing regulatory act; modify to allow "ultimate fighting championships".

**(Reported by the Committee on Regulatory Reform.)**

66

**HB 4870** Rep. Farrah

Occupations; athletics; certain mixed martial arts activities; exempt from penal code.

**(Reported by the Committee on Regulatory Reform.)**

## SECOND READING

67

**HB 4789** Rep. Scott

Vehicles; off-road; operation of an off-road vehicle by certain individuals under the influence of or visibly impaired by alcohol or a controlled substance; prohibit.

Amends secs. 81101, 81134, 81136, 81137, 81141 & 81144 of 1994 PA 451 (MCL 324.81101 et seq.) & repeals sec. 81135 of 1994 PA 451 (MCL 324.81135).

**(Reported by the Committee on Judiciary.)**

**(For proposed House substitute (H-1), see Session Website.)**

68

**HB 4794** Rep. Schuitmaker

Watercraft; other; operation of a watercraft by individuals with a high blood alcohol level or with certain controlled substances; prohibit.

Amends secs. 80101, 80171, 80176, 80177, 80178, 80184, 80186 & 80187 of 1994 PA 451 (MCL 324.80101 et seq.).

**(Reported by the Committee on Judiciary.)**

**(For proposed House substitute (H-1), see Session Website.)**

69

**HB 4795** Rep. Corriveau

Vehicles; snowmobiles; operation of a snowmobile by certain individuals under the influence of alcohol or a controlled substance; prohibit.

Amends secs. 82101, 82127, 82128, 82129, 82136, 82139, 82140, 82142, 82143, 82144, 82146 & 82148 of 1994 PA 451 (MCL 324.82101 et seq.).

**(Reported by the Committee on Judiciary.)**

70

**HB 4813** Rep. Nitz

Criminal procedure; sentencing guidelines; sentencing guidelines for operating vessel, ORV, or snowmobile under influence of alcoholic liquor; revise to include operating with any amount of schedule 1 controlled substances in operator's body.

Amends sec. 13g, ch. XVII of 1927 PA 175 (MCL 777.13g).

**(Reported by the Committee on Judiciary.)**

71

**HB 4052** Rep. Hune

Land use; land division; certain land preserved from development; exempt from limit on number of parcels under land division act.

Amends sec. 108 of 1967 PA 288 (MCL 560.108).

**(Reported by the Committee on Intergovernmental, Urban and Regional Affairs.)**

72

**HB 4764** Rep. Bieda

Property tax; other; county board of commissioners meeting in October; revise to meet in May of each year.

Amends 1893 PA 206 (MCL 211.37).

**(Reported by the Committee on Tax Policy.)**

**(For proposed House substitute (H-1), see Session Website.)**

**SECOND READING**

73

**HB 4737** Rep. Dean

Human services; children's services; requirement for parental disclosure of relatives when placing a child in a home other than that of a parent; implement.

Amends sec. 13a, ch. XIIA of 1939 PA 288 (MCL 712A.13a).

**(Reported by the Committee on Families and Children's Services.)**

**(For proposed House substitute (H-1), see Session Website.)**

**STANDING COMMITTEE MEETINGS**

(For an updated listing of committee meetings, go to <http://www.michiganlegislature.org> and click on Committee Meetings.)

**BILLS IN CONFERENCE**

Bill No.	Brief Title	Conferees		Report Agreed to	
		House	Senate	House	Senate
SB 220	Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2006-2007.	Tobocman Cushingberry Acciavatti	Bishop Jelinek Switalski		